

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

April 2, 2003

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., April 2, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Andy Kunasek, Vice Chairman; Don Stapley, Max W. Wilson and Mary Rose Wilcox. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

MINUTES

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (5-0) to approve the minutes from meetings held on

PERSONNEL AGENDA

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (5-0) to approve the personnel agenda. (List on file in the Clerk of the Board's Office.)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (5-0) to approve easements, right-of-way documents, relocation assistance, and appraisal services contracts under \$5,000 per resolution FCD 87-12; escrow instructions per resolution FCD 87-13; license procedures and fee schedules per resolution FCD 97-02; and payment of tax notices per resolution FCD 97-07 for Flood Control purposes. (ADM1910)

Laveen Conveyance Channel Project (Per: Resolution FCD 2000R011)

Item A001.043, Temporary Construction Easement and Agreement for Flood Control Purposes from Phoenix Union High School District No. 210 of Maricopa County to the Flood Control District of Maricopa County at no cost to the District.

Property Management - Pecos Road Re-alignment Rittenhouse Channel (Per: Resolution FCD 1999R016)

Item RR-5, RR-8 & RR-9, Permanent Roadway & Utility Easement from the Flood Control District of Maricopa County to the City of Mesa for the sum of \$30,000.00.

Property Management - Saddleback FRS (Per: Resolution FCD 1999R016)

Item 2000P085, Utility Easement from the Flood Control District of Maricopa County to Harquahala Generating Company, LLC, a Delaware limited liability company for the sum of \$45,000.00.

RESOLUTION – EMF MODIFICATIONS, CHANDLER HEIGHTS ROAD TO RIGGS ROAD (EAST MARICOPA FLOODWAY)

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (5-0) to adopt Resolution FCD 2002R016, EMF Modifications, Chandler Heights Road to Riggs Road [No. 121 East

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Maricopa Floodway (MEMI)]. This Resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to implement the recommended plan improvements identified in the Study for Parcel M-2148-EX, to negotiate Intergovernmental Agreements (IGA's) with others, to authorize the sale in public auction any portion of Parcel M-2148-EX, and to negotiate contracts for the design and construction of EMF improvements, subject to the ratification and approval of the Board of Directors of the District. Expenditures are contingent upon Board approval of the District's proposed budget for FY 2003-2004 and Five-Year CIP. (C69030606) (ADM1900)

RESOLUTION FCD 2002R016

EMF Modifications (Chandler Heights Road to Riggs Road)

WHEREAS, The Flood Control District of Maricopa County (District) was established in accordance with provisions of Arizona Revised Statutes (ARS) Title 48-3603, Chapter 21, which requires the Board of Directors of the District (Board) to identify flood problems and recommend solutions; and,

WHEREAS, the District acquired the property rights based on Resolution dated April 2, 1973, Amendment to that Resolution dated April 22, 1974 and the Roosevelt Water Conservation District (RWCD) Floodway, Reach 1 Agreement AZ-S-(TF-26) dated April 10, 1980, that authorized the Soil Conservation Service (SCS) to construct the RWCD, later renamed the East Maricopa Floodway (EMF); and,

WHEREAS, the Board approved "Policy for the Aesthetic Treatment and Landscaping of Flood Control Projects" dated December 16, 1992 (AT&L Policy) that authorizes the expenditure of District funds for the application of aesthetic and multi-use features to existing flood control projects that do not include aesthetic features, at the discretion of the Chief Engineer and General Manager of the District, and,

WHEREAS, the amount of the proposed expenditure (estimated to be \$990,000) of District funds for the EMF Modifications Project is consistent with the financial ceilings established in the cost estimating guidelines in the AT&L Policy, and,

WHEREAS, the East Maricopa Floodway Capacity Mitigation and Multi-Use Corridor Study (Study) was adopted by the Board on March 19, 2003 (C-69-03-032-6-00) under Resolution FCD 2001R006; and,

WHEREAS, the Study identified areas along the East Maricopa Floodway (EMF) for the development of multi-use opportunities maintaining or increasing the capacity of the EMF Channel; and,

WHEREAS, the Study identifies the promotion of public access and open space within the facility corridor; and,

WHEREAS, the Study identifies the aesthetic reshaping of the floodway side-slopes and back-slope areas to achieve compatibility with the character of its setting; and,

WHEREAS, the Study identifies the promotion of habitat mitigation banking and environmental habitat areas within the proposed site; and,

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WHEREAS, the EMF has been identified by the Maricopa County Trail Commission as a component of the Maricopa County Regional Trail System, "the Marathon Trail" on the Conceptual Trail Route Map, August 21, 2001; and,

WHEREAS, the District is prepared to develop and implement a plan to execute one or more major design elements as described in the preferred alternatives section of the Study; and,

WHEREAS, the District is prepared to enhance and possibly increase the value of excess property it owns along the EMF by the implementation of major elements of the Study preferred alternative; and,

WHEREAS the District is required by the Section 404 Permit for the Elliot Road Basin and Channel Project to develop a mitigation site as a result of the Elliot Road Basin and Channel Project construction; and,

WHEREAS, the Study has identified District property, parcel M-2148-EX (Exhibit A), as a location for such a mitigation site, including offsite mitigation, trails, and enhanced channel appearance through shaping and sloping the soil in and around the channel; and,

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the District (Board) authorizes and directs the Chief Engineer and General Manager of the District to implement the recommended plan improvements identified in the Study for District parcel M-2148-EX, and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to negotiate with Maricopa County and appropriate agencies to obtain necessary zoning on the property increase the market value of the excess property,

Location: Township 2 South, Range 6 East, Sections 27, 28; and,
As shown in Exhibit A; and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to advertise, select, negotiate, and award a contract for engineering services for the design and construction of improvements to the EMF as identified in the Study of the District property, parcel M-2148-EX, subject to the ratification and approval of the Board; and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to sell at public auction any portion of parcel M-2148-EX as identified in Exhibit A, which is deemed to be excess to the needs of the District, subject to the ratification and approval of the Board; and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to include funding in the District's current Five-Year Capital Improvement Program (CIP) for the Project, subject to the availability of CIP funds, and the ratification and approval of the Board.

Dated this 2nd day of April 2003.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

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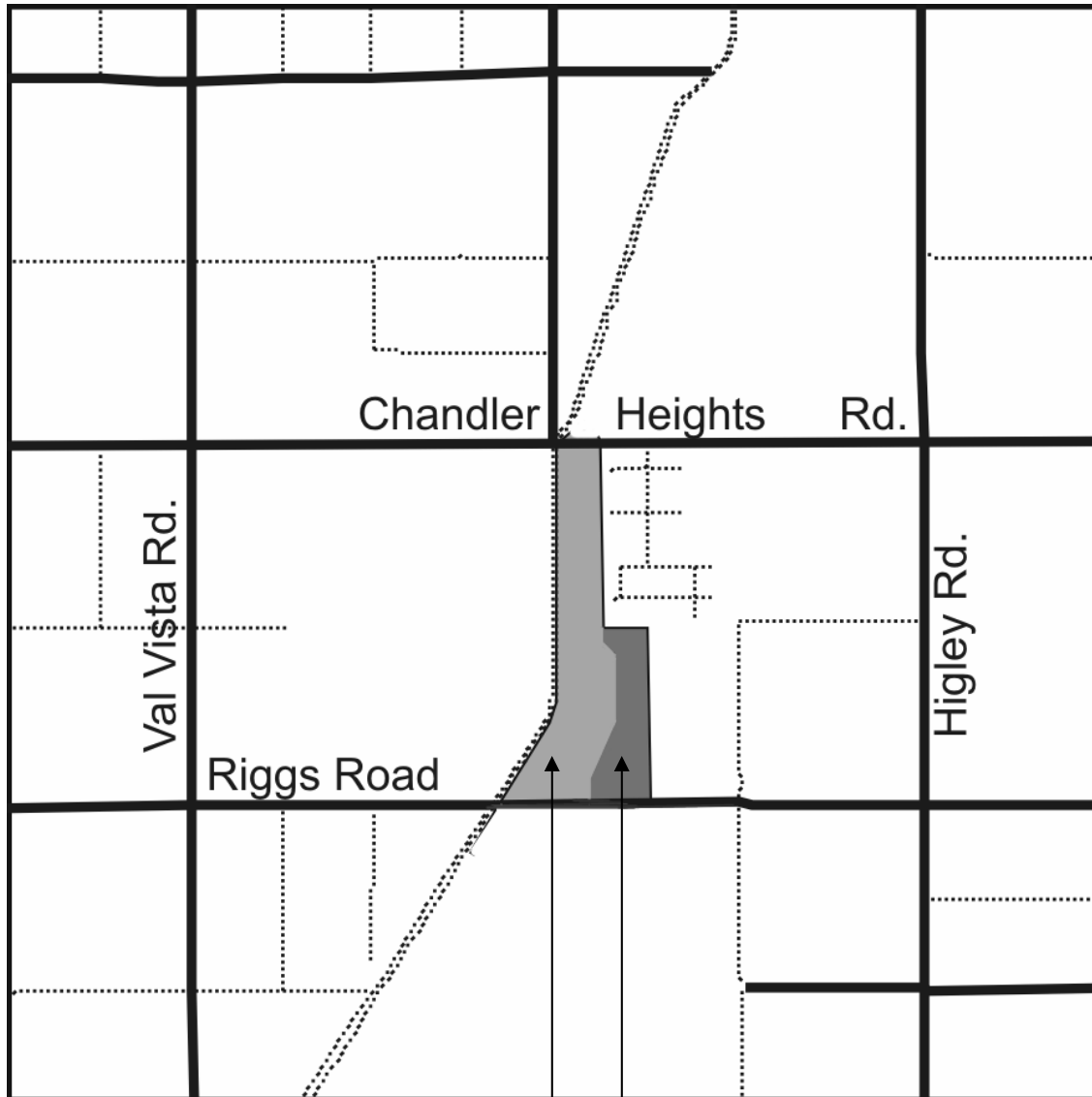
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Enclosure: Exhibit A

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Exhibit A

Parcel M-2148-EX - **EMF Modifications (Chandler Heights Road to Riggs Road)**



EMF Modifications
and Improvements

Potential Excess Property

CTS

▲
North
Not to Scale

April 2, 2003

INVITATION FOR BIDS AND AWARD – VARIOUS PROJECTS

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (5-0) to authorize the Flood Control District of Maricopa County (District) to issue Invitation for Bids for the following projects, and award the contracts to the lowest responsible bidders, if the bids are not more than 10% over the engineer's estimate.

- a) Hawes Road Channel Improvements Project [A sub-project of Project No. 442 - East Mesa Area Drainage Master Plan (AEMA)] Contract FCD 2003C004. (C69030635)
- b) Skunk Creek Low Flow Channel Project [a sub-project of Project No. 362 - Skunk Creek (KKRK)] Contract FCD 2003C005. Also, determine that such action is in the public interest and based upon demonstrated need, it is further requested that the Board of Directors approve an amendment to the current FY 2003 Five Year CIP for Fund 990-Project 262-Skunk Creek (KKRK) project budget, approved by the Board on July 22, 2002 (C69020662) by decreasing the current FY 2004 (year 2) CIP Project Reserve (FCPR) by \$170,000 and adjusting the FY 2004 (year 2) Project No. 362 - Skunk Creek project budget by \$170,000. The net affect of the FY 2004 CIP is \$0. (C69030645)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board